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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,731	03/23/2004	Scott McNulty	4602-4001	4430
27123	7590	11/26/2008		
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101				
EXAMINER				
BILGRAMI, ASGHAR H				
ART UNIT		PAPER NUMBER		
2443				
NOTIFICATION DATE		DELIVERY MODE		
11/26/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/807,731

Applicant(s)

MCNULTY, SCOTT

Examiner

ASGHAR BILGRAMI

Art Unit

2443

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-69 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Objections

1. Claims 29-31 are objected to because of the following informalities: Claim 28 describes signal "decryption" functionality whereas its depended claims (29-31) address "encryption" functionality. Appropriate correction is required. For examining purposes Examiner has assumed that claim 29-31 are addressing "decryption" functionality on processor, terminal and server respectively.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-69 are rejected under 35 U.S.C. 102(e) as being anticipated by Ryan et al (U.S. 7,213,766 B2).

4. As per claims 1, 2, 32, 33, 61-68 Ryan disclosed a method of accessing data, comprising: engaging a portable storage device with a terminal (col.12, lines 58-65) , wherein the portable storage device has a processor (col.13, lines 45-47), wherein the portable storage device connects to the terminal across compatible conduits for external

communications (col.12, lines 58-65), wherein the storage device has a memory (col.13, lines 6-9), wherein the memory and a storage conduit are disposed in communication with the processor (col.13, lines 45-50), wherein the conduits are USB conduits (col.13, line 50); wherein the communication instructions issue signals to: communicate with a terminal (col.13, lines 61-63); communicate with a server (col.17, lines 47-50); providing the memory for access on the terminal, wherein the memory is mounted on the terminal; executing processing instructions from the memory on the terminal to access the terminal (col.23, lines 43-45); communicating through the conduit at a terminal, wherein the terminal acts as a proxy for the terminal's input and output peripheral devices, and acts as a network interface proxy, wherein communication instruction issued signals are encrypted (col.23, lines 25-42), wherein the encryption occurs on the processor (col.23, lines 25-42) {the encryption in the auto-run application is being implemented by a processor}, wherein received encrypted instruction signals are decrypted, wherein decryption occurs on the processor (col.19, lines 31-40); executing processing instructions on the processor, wherein the processing instructions are stored on the memory (col.19, lines 24, lines 40), wherein the processing instructions are used to issue signals to process processing instruction on the processor (col.11, lines 4-24) ; and effecting the display of processing activity on the terminal (col.21, lines 6-22).

5. As per claim 3 Ryan disclosed the apparatus of claim 2, wherein the unique apparatus identifier is a digital signature (col.23, lines 56-60).

6. As per claim 4 Ryan disclosed the apparatus of claim 2, wherein the memory contains user verifying information (col.23, lines 56-60).

7. As per claim 5 Ryan disclosed the apparatus of claim 4, wherein the user verifying information is a digital signature (col.23, lines 56-60).

8. As per claim 6 Ryan disclosed the apparatus of claim 4, wherein the user verifying information is a username and password (col.3, lines 18-22).

9. As per claim 7 Ryan disclosed the apparatus of claim 6, further, comprising: wherein the processing instructions issue signals to: encrypt the memory based on the unique apparatus identifier and user verifying information (col.19, lines 31-40).

10. As per claim 8 Ryan disclosed the apparatus of claim 2, further, comprising: wherein the processing instructions issue signals to: execute processing instructions from the memory on the terminal to access the terminal (col.23, lines 25-42).

11. As per claims 9, 40 & 41 Ryan disclosed the apparatus of claim 2, wherein the terminal acts as a proxy for the terminal's input and output peripheral devices, and acts as a network interface proxy (col.23, lines 25-42) {The fact that a user can access the

respective website on the Internet from any terminal is an indication that the terminal acts as a proxy interface}.

12. As per claims 19 & 52 Ryan disclosed the apparatus of claim 2, wherein the processing instructions are stored on the memory (col.23, lines 43-45).

13. As per claim 11 Ryan disclosed the apparatus of claim 2, wherein the processing instructions are obtained from a server (col.2, lines 66-67 & col.3, lines 1-3).

14. As per claims 12, 53 & 56 Ryan disclosed the apparatus of claim 2, wherein the processing instructions are processed on the processor (col.11, lines 4-24).

15. As per claims 13 & 57 Ryan disclosed the apparatus of claim 12, wherein the processing instructions are processed on the processor to process files for printing (col.5, lines 9-16).

16. As per claims 14 & 54 Ryan disclosed the apparatus of claim 2, wherein the processing instructions are processed on the terminal (col.23, lines 43-45).

17. As per claims 15 & 55 Ryan disclosed the apparatus of claim 2, wherein the processing instructions are processed on the server (col.17, lines 47-50).

18. As per claims 16 & 58 Ryan disclosed the apparatus of claim 2, further, comprising: wherein the processing instructions issue signals to: effect the display of processing activity (col.21, lines 6-22).

19. As per claims 17 & 59 Ryan disclosed the apparatus of claim 16, wherein the display of processing activity occurs on the terminal (col.21, lines 6-22).

20. As per claims 18 & 60 Ryan disclosed the apparatus of claim 16, wherein the display of processing activity occurs directly in the terminal's video memory (col.17, lines 6-15).

21. As per claims 19 & 34 Ryan disclosed the apparatus of claim 2, wherein the conduits are USB conduits (col.17, lines 50-53).

22. As per claims 20 & 35 Ryan disclosed the apparatus of claim 2, wherein the conduits are wireless conduits (col.17, lines 53-55).

23. As per claims 21 & 36 Ryan disclosed the apparatus of claim 20, wherein the wireless conduits are Bluetooth (col.17, lines 53-55).

24. As per claims 22 & 37 Ryan disclosed the apparatus of claim 20, wherein the wireless conduits are WiFi (col.12, lines 40-44).

25. As per claim 23 Ryan disclosed the apparatus of claim 2, further, comprising: wherein the communication instructions issue signals to: communicate with a server (col.17, lines 47-50).

26. As per claims 24 & 42 Ryan disclosed the apparatus of claim 23, wherein the communication instruction issued signals are encrypted (col.23, lines 25-42).

27. As per claims 25, 43 & 44 Ryan disclosed the method of claim 43, wherein the encryption occurs on the processor executing communication instructions from memory (col.23, lines 25-42).

28. As per claims 26 & 45 Ryan disclosed the apparatus of claim 24, wherein the encryption occurs on the terminal (col.23, lines 25-42).

29. As per claims 27 & 46 Ryan disclosed the apparatus of claim 24, wherein the encryption occurs on the server (col.23, lines 25-42).

30. As per claims 28 & 47 Ryan disclosed the apparatus of claim 23, wherein received encrypted instruction signals are decrypted (col.19, lines 31-40).

31. As per claims 29, 48 & 49 Ryan disclosed the method of claim 48, wherein in the decryption occurs on the processor by executing communication instructions from the memory (col.19, lines 31-40).

32. As per claims 30 & 50 Ryan disclosed the apparatus of claim 28, wherein the encryption occurs on the terminal (col.23, lines 43-45).

33. As per claims 31 & 51 Ryan disclosed the apparatus of claim 28, wherein the encryption occurs on the server (col.23, lines 43-45).

34. As per claim 38 Ryan disclosed the method of claim 33, wherein the memory is mounted at the terminal (col.23, lines 43-45).

35. As per claims 39 Ryan disclosed the method of claim 33, wherein the communication through the conduit is at the terminal (col.17, lines 47-55).

36. As per claim 69 Ryan disclosed the method of claim 68, further, comprising:
storing the results of execution on the terminal in the portable storage device's memory
(Abstract, lines 1-8).

Conclusion

37. The Prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

38. Gearhart (U.S. Pub. No. 2005/0132183 A1) disclosed method and system for user created personal private network (PPN) with secure communications and data transfers.

39. Steward et al (U.S.6,970, 927 B1) disclosed distributed network communication system which provides different network access features.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASGHAR BILGRAMI whose telephone number is (571)272-3907. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L.M. Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. B./
Examiner, Art Unit 2443

/Tonia LM Dollinger/
Supervisory Patent Examiner, Art Unit 2443

